

ACQUISITION/REHABILITATION LOAN CLOSING CHECKLIST

Project Name: _____

CalHFA #: _____

REHAB FINANCING:

CalHFA 1st Loan Amt: \$ _____ Int. Rate: _____ % Term: _____ Funds: _____

CalHFA 2nd Loan Amt: \$ _____ Int. Rate: _____ % Term: _____ Funds: _____

Program: _____

This section (1-14) for CalHFA use only:

☐ **LQC Working File**

☐ **General & Interoffice Correspondence File**

☐ **CalHFA Fees Collected** ☐ **Fee Report** ☐ **all fees collected**

☐ **Post Close Checklist**

1. ☐ Final Pro-Forma Title Policy ☐ Draft Pro-Forma ☐
☐ Estoppel & Construction Title Proforma (C.9)
2. ☐ CalHFA Title Policy (post closing)
- ☐ Draft Settlement Statement (verify escrow has collected funds for draw
Endorsements) ☐ Final Settlement Statement
- 3 ☐ CalHFA Promissory Note(s) (Original to Accounting)
- ☐ Rehab/Construction Loan Agreement (copy)
- ☐ Security Agreement (copy)
4. ☐ Recorded CalHFA Deed of Trust (copy)
5. ☐ Filed Construction Contract ☐ (copy) Payment & Performance Bonds recorded ☐
6. ☐ Recorded CalHFA Regulatory Agreement (copy)
7. ☐ Recorded Subordinations and other Junior Liens (copy)
8. ☐ Consent to Assignment of HAP as Security
9. ☐ Assignment of Architect's/Engineers' Contract
- ☐ Assignment of Construction Contract
- ☐ Assignment of Managers Agreement
10. ☐ TEFRA Confirmation ☐ Declaration of Intent ☐ Letter of Intent to Bwr ☐
- ☐ CDLAC Resolution ☐ TCAC Project Summary ☐ (if available)
- ☐ Final Commitment (☐ check for compliance with Special Conditions)
- ☐ Board Resolution or ☐ Senior Staff Resolution ☐
- ☐ Loan Modification Approval and acknowledgement by borrower
- ☐ TCAC Reservation Letter
- ☐ Dun and Bradstreet on Borrower
11. ☐ Escrow Instructions/copy of docs sent to escrow & Disbursement Administrator
12. ☐ Loan Officer Construction and Permanent Sources and Uses (CalHFA III)
13. ☐ Deposit Control Agreement (Legal notified ☐ received from legal ☐)
14. ☐ Architectural Conditions Letter sign by all parties, check exceptions to const start
15. ☐ Security agreement (tax credit equity commitment).

BORROWER TO PROVIDE:

(Borrower to provide three sets of the following documents number tabbed as listed below in 3 separate binders -If previously provided to CalHFA please indicate)

Online forms available on CalHFA's website:www.CalHFA.ca.gov/rental/financing/index.htm

CONSTRUCTION LOAN-PRE-CLOSING DOCUMENTS:

- 16. ___ Preliminary Title Report; ___ copies of all recorded documents on title
(Report no more than 30 days old)
- 17. ___ Wiring instructions for draws
- 18. ___ Executed Signature Election - **online form**
- 19. ___ Phase I ___; Phase II ___; **update w/in 180 days of closing**
- 20. ___ Letter of Reliance if Phase I or II was not prepared for CalHFA directly -**sample online**
- 21. ___ Other Environmental Reports: Soils ___; Seismic ___; Wetlands ___; EIR ___
___ URS Level 4 review & earthquake waiver review
- 22. ___ Recorded Ground Lease ___ DDA ___ OPA ___ Grant Deed ___
- 23. ___ Purchase and Sale Agreement
- 24. ___ Local Gov't Note ___ Deed of Trust ___ Regulatory Agreement ___
- 25. ___ Other Junior Instruments _____
- 24. ___ ALTA survey/ Copy to attorney _____
- 26. ___ Evidence of zoning /Planning Department permit & conditions of approval
- 27. ___ Building and Grading Permit
- 28. ___ Evidence of acceptance of completed relocation program if applicable (were there existing occupied buildings on the property prior to construction?)
- 29. ___ Market Study
- 29. ___ Appraisal

ORGANIZATIONAL DOCUMENTS:

Depending on your structure some of the following may or may not apply

- 30. ___ Partnership Agreement ___ Amendments ___ LP-1 & ___ LP-2
___ Investor Pay in Schedule
Name: _____
___ Certificate of Status/Good Standing (**dated w/in 90 days of closing**) _____
- 31. ___ Authorizing Resolution from borrowing entity
- 32. ___ Managing GP Art. Of Incorpor. ___ By-Laws
Name: _____
___ Managing GP Cert. of Status/Good Standing (90-day rule) _____
- 33. ___ Admin. GP Art. Of Incorpor. ___ By Laws ___
Name: _____
___ Cert. of Status/ Good Standing ___ (90-day rule)
- 34. ___ 501(c)3 Borrower name: _____
___ 501(c)3 IRS application ___ or last 4 years 990's _____
___ 501(c)3 IRS approval letter ___ 501c3 tax-exempt letter, Authorizing Resolution _____
- 35. ___ Borrower's Opinion of Counsel ___ Article 34 opinion _____
- 36. ___ Organizational documents for Sponsor/Parent Company-Guarantor (if applicable)
37. Name: _____
- 38. ___ Identity of Interest - **online form**
- 39. ___ Unrelated Parties Transaction Form - **online form**
- 40. ___ Updated Organizational Chart

CONSTRUCTION DOCUMENTATION:

41. ____ Draft Construction Contract

CalHFA use only: copy to Bingham/McCutcheon for review -date: ____ Approved: ____

42. ____ Final trade pmt breakdown ____ Dev/Const schedule (exhibit E to Construction Loan Agreement)

43. ____ Final Construction Budget (for exhibit D on Construction Loan Agreement)

44. ____ Architect Contract

45. ____ Engineers' Contract

____ Plans and Specifications

46. ____ Prevailing wage determination

47. ____ Notice to Proceed to contractor from borrower (email is suffice)

FINANCIAL REQUIREMENTS:

48. ____ LOC or cash collateral for 10% of construction contract **sample online**

____ Completion and Repayment Guarantee for 100% of construction contract (from Borrower/Sponsor)

49. ____ Draft Payment and Performance Bonds with CalHFA as dual-obligee on the policy (100% of Construction Contract from Contractor)

50. ____ Deposit Control Agreement Form **-online form**

OTHER:

51. ____ Assignment of HAP contract between Buyer and Seller (if applicable)

52. ____ Tax Credit Investor commitment letter

53. ____ Assignment of permanent loan commitments (sources funding after construction)

54. ____ Estoppel certificate from permanent lender(s) and investors (if funding prior to CalHFA)
____ Estoppel/ Tri Party from MHP

55. ____ Management Agreement

56. ____ Seller take back Promissory Note (if applicable)

INSURANCE REQUIREMENTS: (all policies must have an expiration date at least 6 months from closing)

57. ____ Property insurance w/ CalHFA as Certificate Holder and a 438 BFU Endorsement, to include:

a. Builder's all risk course of construction ____ expiration date ____ insurance and AMBEST search on all

b. General Liability ____ expiration date ____ Auto ____ expiration date ____

c. Workman's Comp ____ expiration date ____

58. ____ General Contractor insurance w/ CalHFA as Certificate Holder and a 438 BFU Endorsement, to include: ____ Contractor license search ____ D&B ____ Insurance and AMBEST search

a. Liability ____ expiration date ____

b. Workmen's Comp ____ expiration date ____ Insurance and AMBEST search

c. Auto ____ expiration date ____

59. ____ Architect's insurance with CalHFA as Certificate Holder and a 438 BFU Endorsement

a. E & O /Professional Liability ____ Expiration date ____

b. Auto ____ Expiration date ____

c. General Liability ____ Expiration Date ____

FINANCIAL REPORTING REQUIREMENTS

60. ____ Federal Tax I.D. number (W-9) on Borrowing entity
61. ____ Form 8038 Questionnaire- **online form**
____ Good Cost Project Cert - **online form**

CalHFA use only: Forms sent to borrower by Legal ____ Bond Counsel Approval ____

HUD: (if applicable)

HUD236 Deed ____ Assignment ____ IRP Agreement ____ HAP Agreement ____
HUD Assignment ____ HUD Regulatory ____

IF FHA HUD RISK SHARE:

____ HUD Risk Share Firm approval letter (if perm loan FHA Risk)
____ 2880 (transferred to HUD file ____)
____ 2530 (transferred to HUD file ____)

CalHFA only:

____ Mortgagee and Mortgagor Cert's signed and forwarded to Risk Share administrator

CALHFA USE ONLY

SEARCHES:

Dun & Brad Street on Borrower: ____
Contractor: ____
Sponsor: ____

All Insurance Companies searched thru www.insurance.ca.gov ____
Insurance companies with Home Offices out of California check the LESLI list
(List of eligible surplus line of insurers)

AM Best search on all insurance companies thru www.ambest.com ____

Contractor License search thru www.cslb.ca.gov ____

Surety Bond search thru www.fms.treas.gov ____

POST CLOSING REQUIREMENTS

1. _____
2. _____
3. _____

FIRST DRAW REQUIREMENTS

1. _____
2. _____
3. _____
4. _____

Sample forms on CalHFA website: <http://www.calhfa.ca.gov/multifamily/financing/index.htm>
H:\CalHFA\chfa\marisa\masterdocs\rehabchecklist08.doc

